

<b>SUBJECT: MONMOUTHSHIRE ADOPTED LOCAL DEVELOPMENT PLAN DRAFT INFILL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE</b>
<b>MEETING: ECONOMY AND DEVELOPMENT SELECT COMMITTEE</b>
<b>DATE: 10 APRIL 2019</b>
<b>DIVISION/WARDS AFFECTED: ALL</b>

**1. PURPOSE:**

- 1.1 The purpose of this report is to inform Economy and Development Select Committee of the preparation of the Draft Infill Development Supplementary Planning Guidance (SPG) which is currently subject to public consultation, and to seek any comments from the Committee.

**2. RECOMMENDATIONS:**

- 2.1 To seek the Committee's comments on the Draft Infill Development Supplementary Planning Guidance (SPG) to inform the content prior to its adoption.

**3. KEY ISSUES:**

Background

- 3.1 The Monmouthshire Local Development Plan (2011-2021) was adopted in February 2014 to become the adopted development plan for the County (excluding that part within the Brecon Beacons National Park). This statutory development plan contains a number of policies relating to new housing development in the County's settlements which are set out in Appendix A of the Draft SPG (attached as Appendix 1). The Draft SPG provides guidance on proposals for small scale infill development (i.e. fewer than 10 dwellings) within the County's designated settlements as defined under Policies S1, H1, H2 and H3 of the Monmouthshire LDP, namely Main Towns, Severnside Settlements, Rural Secondary Settlements, Main Villages and Minor Villages.
- 3.2 The requirement for this Draft SPG has arisen from the suggestion by Planning Committee that it would be useful to have additional guidance in place to help shape proposals for small scale infill development in the County's settlements.
- 3.3 Selective use of SPG is a means of setting out more detailed thematic or site specific guidance in the way in which the policies of an LDP will be applied in particular circumstances or areas. The Draft Development Plans Manual Edition 3 (Welsh Government, November 2018) notes that:

*'SPG does not form part of the development plan and is not subject to independent examination, but it must be consistent with the plan and with national planning policy. SPG cannot be linked to national policy alone; there must be an LDP policy or policy criterion that provides the development plan 'hook' whilst the reasoned justification provides clarification of the related national policy'.*

- 3.4 The Manual further states that SPG can be a material consideration in the determination of planning applications, provided that it is consistent with the development plan and appropriate consultation has been undertaken:

*'Only the policies in the development plan have special status under section 38(6) of the PCPA 2004 in deciding planning applications, but SPG can be taken into account as a material consideration. SPG that is derived from and is consistent with the development plan and has been the subject of consultation will carry more weight'.*

#### Draft Infill Development SPG

- 3.5 The Draft Infill Development SPG is attached to this report as **Appendix 1**. The SPG is intended to provide certainty and clarity for applicants, officers, Members and communities in the interpretation and implementation of the LDP policy framework in relation to small scale infill development proposals within the settlements identified in Policies S1, H1, H2 and H3 of the Monmouthshire LDP.
- 3.6 The Draft SPG sets out the detailed matters that need to be taken into account when considering proposals for small scale infill development in the County's settlements. Such matters include site context, design, privacy/amenity, access/parking, planting/trees and drainage. Once adopted, the SPG will have a key role in shaping proposals for small scale infill development.

#### Next steps

- 3.5 As referred to in paragraph 3.4 above, for SPG to be given weight in the consideration of planning applications, appropriate consultation needs to be undertaken and any comments received should be taken into account in the Council's decision making process. Following a resolution to consult, targeted notifications will be sent to those considered to have an interest in the SPG topic such as local agents. All town and community councils have been consulted. The consultation has been publicised via our Twitter account @MCCPlanning and the corporate Monmouthshire Twitter account. All consultation replies will be analysed and responses/amendments reported for Members' consideration when seeking a resolution for the adoption of any SPG document.

#### **4. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:**

- 4.1 Under the Planning Act (2004), the LDP was required to be subject to a Sustainability Appraisal (SA). The role of the SA was to address the extent to which the emerging planning policies would help to achieve the wider environmental, economic and social objectives of the LDP. The LPA also produced a Strategic Environmental Assessment (SEA) in accordance with the European Strategic Environmental Assessment Directive 2001/42/EC; requiring the 'environmental assessment' of certain plans and programmes prepared by local authorities, including LDP's. All stages of the LDP were subject to a SA/SEA, therefore and the findings of the SA/SEA were used to inform the development of the LDP policies and site allocations in order to ensure that the LDP would be promoting sustainable development. SPG is expanding and providing guidance on these existing LDP policies, which were prepared within a framework promoting sustainable development.

#### Equality

- 4.2 The LDP was also subjected to an Equality Challenge process and due consideration was given to the issues raised. As with the sustainable development implications considered above, SPG is expanding and providing guidance on these existing LDP policies, which were prepared within this framework.

- 4.3 In addition, a Future Generations Evaluation is attached. This includes Equalities and Sustainability Impact Assessments (attached as **Appendix 2**)

## **5. OPTIONS APPRAISAL**

- 5.1 The options in relation to the Draft SPG are to:

1. Economy & Development Select Committee consider and comment, as appropriate, on the Draft Infill Development SPG;
2. Economy & Development Select Committee do not comment on the Draft Infill Development SPG.

- 5.2 Option 1: Economy & Development Select Committee consider and comment, as appropriate, on the Draft Infill Development SPG. The Draft SPG will be issued for public consultation for just over 6 weeks on 28<sup>th</sup> March 2019. This report provides Economy & Development Select Committee with the opportunity to view the Draft SPG and comment accordingly. Feedback received will be taken into account and will inform the final SPG as appropriate. This is the preferred option.

- 5.3 Option 2: Economy & Development Select Committee do not comment on the Draft Infill Development SPG would miss an opportunity to help shape this policy guidance document.

- 5.4 Based on the above, Option 1 (to consider and comment, as appropriate, on the Draft SPG) is the preferred option.

## **6. EVALUATION CRITERIA**

- 6.1 The success of the adopted SPG will be monitored via the LDP Annual Monitoring Report. This will include a review of the SPG use in decision-making and the extent to which it informs, and is upheld via, appeal decisions.

## **7. REASONS**

- 7.1 Under the Planning Act (2004) and associated Regulations, all local planning authorities are required to produce a LDP. The Monmouthshire LDP was adopted on 27 February 2014 and decisions on planning applications are being taken in accordance with policies and proposals in the LDP. This Draft SPG provides guidance on proposals for small scale infill development within the designated settlements as defined under Policies S1, H1, H2 and H3 of the Monmouthshire LDP i.e. Main Towns, Severnside Settlements, Rural Secondary Settlements, Main Villages and Minor Villages. It is intended to provide clarity to applicants, communities and decision-makers.

## **8. RESOURCE IMPLICATIONS**

- 8.1 Officer time and costs associated with the preparation of SPG documents and carrying out the required consultation exercises. Any costs will be met from the Planning Policy budget and carried out by existing staff.

## **9. CONSULTEES**

- Development Management Officer Working Group
- Planning Committee 5<sup>th</sup> March 2019. Members' raised a number of issues in relation to the Draft SPG including:

- Potential to include more specific reference to the relevant considerations for backland development.
- Potential to provide further clarity on how 'neighbours' are defined in relation to infill and backland development (i.e. immediate or wider context);
- Potential to include more specific reference to affordable housing/ SuDS in relation to infill development.

The comments raised at Planning Committee will be considered and taken into account when finalising the SPG post consultation.

- SLT
- Cabinet Member endorsement for consultation

## **10. BACKGROUND PAPERS**

- Monmouthshire Adopted LDP (February 2014)

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